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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,730	11/09/2001	Prasanna Amerasinghe	OIC0155US	6386

60975 7590 05/29/2008
CAMPBELL STEPHENSON LLP
11401 CENTURY OAKS TERRACE
BLDG. H, SUITE 250
AUSTIN, TX 78758

EXAMINER	
TARAE, CATHERINE MICHELLE	
ART UNIT	PAPER NUMBER
3623	

MAIL DATE	DELIVERY MODE
05/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/007,730	AMERASINGHE ET AL.	
	Examiner	Art Unit	
	C. Michelle Tarae	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-8,14,16-19,21-24,30,32 and 34-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-8,14,16-19,21-24,30,32 and 34-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received February 19, 2008.

Claims 1-2, 14, 17-18 and 30 have been amended. Claims 4, 9-13, 15, 20, 25-29, 31 and 33 have been canceled. Claims 1-3, 5-8, 14, 16-19, 21-24, 30, 32 and 34-37 are now pending in this application.

Response to Amendment

2. Applicant's amendments to claims 1-2, 14, 17-18 and 30 and cancellation of claims 4, 9-13, 15, 20, 25-29, 31 and 33 are acknowledged.

Response to Arguments

3. In the Remarks, Applicant argues the newly added limitations. Applicant's arguments are moot in view of the new grounds of rejections provided below, which are necessitated by the amendments.

In the Remarks, Applicant also argues that Sultan does not teach or suggest wherein a forecast for said at least one subordinate member is automatically generated when said at least one subordinate member fails to submit a forecast prior to generation of the forecast for the first member. This argument is found persuasive. Accordingly, the rejection has been updated.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 5-8, 14, 16-19, 21-24, 30, 32 and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sultan (US 6,804,657) and Gozdeck et al. (U.S. 6,636,852).

As per claims 1, 14, 17, 30 and 34-37, Sultan teaches creating a forecast series comprising a set of parameters that define attributes of forecasts that are based thereon (col. 11, lines 60-67 and col. 12, lines 1-11; "through a computer (318) connected to the network (312), request a forecast by entering the parameters for the desired forecast in a first screen, such as shown at (320). In the case illustrated in FIG. 3, a Summary by Product forecast is requested. In response to parameters entered by CEO Black, the database 310 is accessed and a forecast is generated corresponding to the parameters entered by aggregating the stored forecast information" Sultan teaches the system being adaptable to generate forecast reports with respect to various parameters, this is equivalent to a forecast series with parameters since it performs an identical function in substantially the same manner with substantially the same results.);

identifying opportunity data corresponding to members of the organization, wherein the members of the organization are associated with positions in a hierarchy

structure of the organization, wherein the hierarchy structure comprises a plurality of management levels (col. 2, lines 19-27; col. 7, lines 44-52; Figure 1; Members of a sales force are organized into a hierarchical structure that comprises a plurality of management levels including managers, supervisors and executives. Each member provides pipeline sales information, or opportunity data, reflecting their potential sales.);

calculating forecast data associated with the forecast series and corresponding to the members of the organization using the identified opportunity data (col. 2, lines 27-37; Forecast sales information is generated for each member of the hierarchy based upon the sales pipeline information, or opportunity data, each member inputs.);

defining visibility rules that specify the forecast data corresponding to the members of the organization that are visible to a first member of the organization having at least one subordinate member, wherein the visibility rules are defined according to the position of the first member in the hierarchy (col. 5, lines 13-19; "In addition to being assigned a place within the hierarchical sales structure, each member of the sales force is assigned a permission level. According to the present invention, the permission level determines what information is available to each person within the sales force and in particular, what forecast information is visible, accessible and/or modifiable to and by each person."); and

generating a forecast for the first member of the organization using the set of parameters in the forecast series and based on a forecast submitted by said at least one subordinate member who is required to provide corresponding subordinate member-level forecast to said first member, wherein the data used for said generating

the forecast for the first member is limited to forecast data corresponding to the members of the organization according to the visibility rules (col. 2, line 58-col. 3, line 2; col. 3, lines 7-14; col. 4, lines 24-53; col. 5, lines 13-31; col. 7, line 65-col. 8, line 11; Figure 1; The forecast is generated by aggregating the sales forecast information of those members of the sales force having a lower permission level than the member that requested the forecast, where the member that requests the forecast is considered the "first member" from the perspective of the system. This indicates the permission level of the person dictates how much of the forecast they are allowed to view. Representatives indicated as reporting to particular managers have their sales data available for access to those managers, thereby being required, by established permissions/access settings to provide their forecast information to their managers whom they report to.);

associating a state with the forecast, wherein the state comprises one of: a created forecast state, an included forecast state, if the forecast is included in data of a forecast of another, a submitted forecast state, if the forecast is submitted by the first member of the organization, and as included-as-submitted forecast state, if the forecast is submitted by the first member of the organization and included in data of a forecast of another (col. 2, lines 31-34; col. 7, lines 27-37; Generated forecast sales information is tagged, or associated, with the member of the sales force having modified the pipeline and/or sales forecast information. Thus, the forecast data is tagged, or associated as a created forecast state since it is tagged with the member that modified the pipeline and/or sales forecast information.).

While, Sultan does disclose a person belonging to a finance department utilizing the pipeline and/or forecast information to forecast revenue (col. 8, lines 39-41), thereby having the system of Sultan lend itself to being concerned with revenue data; Sultan does not expressly disclose associating revenue data with identified opportunity data to create at least one revenue schedule containing a plurality of entries.

Gozdeck et al. discloses associating revenue data with identified opportunity data to create at least one revenue schedule containing a plurality of entries (col. 7, lines 47-49 and 59-64; Figure 3).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Sultan to include revenue data with the opportunity data to generate forecasts because as the purpose of Sultan is to generate sales forecasts for its sales people, revenue data would enhance the forecasting process because revenue data provides additional insight into how effective the sales people are as it relates to how well sales people convert opportunity data into sales data and ultimately, revenue data for the organization.

While Sultan discloses allowing managers to adjust original sales pipeline information by increasing or decreasing it (col. 7, lines 15-20), Sultan does not expressly disclose how the adjustment is performed other than that an Internet browser interface is used (col. 7, lines 25-29; Figure 3). More particularly, Sultan does not expressly disclose providing a plurality of visual adjustment patterns in graphical shapes displaying a corresponding plurality of adjustment values, wherein selection of a visual adjustment pattern by a member of the organization results in an automatic application

of the corresponding adjustment value to a member-selected entry in a revenue schedule in a manner depicted by a shape of the selected visual adjustment pattern.

However, Examiner takes Official Notice that the use of selectable graphical shapes are old and well known features in the art of user interfaces. Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Sultan to use selectable graphical shapes when managers adjust the original sales pipeline as doing so enhances the user-friendliness of the Internet browser interface already employed by the managers to make data adjustments.

Sultan also does not expressly disclose wherein a forecast for said at least one subordinate member is automatically generated when said at least one subordinate member fails to submit a forecast prior to generation of the forecast for the first member. However, Examiner takes Official Notice that the automatic generation of reports when a manual generation fails, is old and well known in the art of report generation. Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Sultan to have a forecast automatically generate when a subordinate member fails to generate the forecast before a certain time as doing so ensures that the senior member receives pertinent forecast data in a timely fashion.

Additionally, as per claim 14, Sultan teaches determining an identity of a current forecast participant who is a member of the organization and identifying subordinate members of the organization who are subordinate to the current forecast participant based on the hierarchy structure (col. 2, lines 19-21; col. 5, lines 13-31; col. 6, lines 57-66; Each member has a defined place within the hierarchical structure of the company.

Each member has an identified name and position that is maintained in the company's database. The hierarchical structure identifies subordinate members to other members within the hierarchy.).

Additionally, as per claim 17, Sultan teaches identifying hierarchy data by maintaining a hierarchy of the sales force of a company (col. 2, lines 19-21; col. 5, lines 13-31; col. 6, lines 57-66).

Additionally, as per claim 30, Sultan teaches determining an identity of a current forecast participant who is a member of the organization and identifying subordinate members of the organization who are subordinate to the current forecast participant based on the hierarchy structure (col. 2, lines 19-21; col. 5, lines 13-31; col. 6, lines 57-66; Each member has a defined place within the hierarchical structure of the company. Each member has an identified name and position that is maintained in the company's database. The hierarchical structure identifies subordinate members to other members within the hierarchy.); and presenting forecast data to the current forecast participant, wherein the forecast data specific to each of the one or more subordinate members is viewable by the current forecast participant (col. 9, lines 5-63).

As per claim 2 and 18, Sultan teaches defining visibility rules that specify the forecast data that is visible to each management level (col. 7, lines 44-52; "The entered pipeline and sales information, however, should not be universally accessible by all members of the sales organization. For example, the member of the sales force occupying the Sales Manager position B11 should have access to the pipeline and forecast sales information entered and/or modified by his or her hierarchically-lower

Account Supervisors B111, B112 and B113 and entered by those Account representatives (e.g., B1121-B1125, among others) that report to him." This teaches that different levels of the hierarchy have different permission levels and can view different amounts of information.); and

enabling a forecast to be generated for any management level where the forecast generated in based on forecast data that is visible to the management level for which the forecast corresponds as specified by the visibility rules (col. 7, lines 57-59; "to restrict access to the pipeline and/or forecast information, the assigned position levels are used." And col. 7, lines 66-67 and col. 8, lines1-2; "a member of the sales force may only access pipeline and/or forecast information tagged to hierarchically lower members within a same branch of the hierarchical tree structure." This means a member can view information that is at or below his permission level as specified by the visibility rules.).

As per claim 3 and 19, Sultan teaches the first member of the organization is a manager where the visibility rules include a maximum hierarchy depth search value (n) defining a search scope such that the forecast is generated from the manager's own forecast data and from forecast member corresponding to members of the organization who are subordinates and equivalent managers (<=n). (Column 7, lines 47-64: "Sales Manager position B11 should have access to the pipeline and forecast sales information entered and/or modified by his or her hierarchically-lower Account Supervisors B111, B112 and B113 and entered by those Account representatives (e.g., B1121-B1125, among others) that report to him. However, the Sales Manager B11 may have no reason to access either pipeline or forecast information from Sales Managers B12, B13

(even though B12 and B13 belong to the same Division as B11) or that of any other Sales Manager or any hierarchically higher Regional manager, Division Head or CEO. To restrict access to the pipeline and/or forecast information, the assigned permission levels are used. In general, the permission levels for access pipeline and/or forecast information matches a sales force member's hierarchical position within the sales organization, unless such sales force member belongs to an "overlay organization" that participates in the opportunity and has permission to add information to it, but does not "own" the corresponding forecast.“ where the maximum depth as indicated by this rule would equal the total number of levels below the member with respect to hierarchy.).

As per claim 5 and 21, Sultan teaches the forecast series comprises parameters that define the visibility rules for forecasts that are based on the forecast series (col. 11, lines 9-67 and col. 12, lines 1-11, where a regional manager may view a forecast by rolling up the forecast information of all those directly or indirectly reporting to him and a Division Head may generate a forecast of those reporting to him and the CEO can do the same by entering parameters. The database 310 is accessed and a forecast is generated corresponding to the parameters entered by aggregating the stored forecast information” Sultan teaches the system being adaptable to generate forecast reports with respect to various parameters, this is equivalent to a forecast series with parameters since it performs an identical function in substantially the same manner with substantially the same results.).

As per claim 6 and 22, Sultan teaches enabling the first member to submit the forecast to a superior in the hierarchy structure, wherein said submitting comprises

associating the submitted forecast state with the forecast (see claim 1: “accepting original pipeline sales information remotely entered by members of the sales force over a computer network” here only those with a higher permission level can view and or modify the information which is equivalent to submitting it to a superior as it performs an identical function in substantially the same manner with substantially the same results. The member submits their forecast as indicated in col. 10, lines 63-65 where a forecast is deemed to be submitted and in a submitted state once it has been submitted.). Sultan does not explicitly teach preventing the first member from modifying the forecast after it has been submitted; however, Sultan does teach restricting access to the forecast data based on permissions granted to members (col. 5, lines 15-24; ”the permission level determines what information is available to each person within the sales force and in particular, what forecast information is visible, accessible and/or modifiable to and by each person.“ where “those with higher ranking positions would enjoy higher permission level than lower-level sales positions in the hierarchy”.). Official notice is taken that it is old and well known that once a document is submitted to a superior, the information cannot be modified unless the superior authorizes it. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a rule within the permission levels that allows the superior to change control over information from subordinates as a means for protecting the information, thereby enhancing the integrity of the data.

As per claim 7 and 23, Sultan teaches enabling the superior or system administrator to unsubmit the forecast such that the member that submitted it can

modify the forecast, wherein said unsubmitting comprises associating one of the created forecast state and the included forecast state with the forecast (col. 7, lines 15-22; "Therefore, persons within the sales force occupying positions within the hierarchy that are higher than that of the sales person having entered the pipeline information may modify pipeline sales information included in the original pipeline sales information by increasing or decreasing it, at their discretion. This modified pipeline sales information then, according to the present invention, becomes forecast information." Indicates the superior has the ability to change the data at their discretion which includes allowing the submitter to change it instead of the superior.) Sultan does not explicitly teach unsubmitting. Official notice is taken that it is old and well known in document management to send information back for a revision or update. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a revision mechanism to provide a means for updating information or correcting errors. Once a document has been sent back for corrections or modifications it would be considered to be back in the create state since the member is re-creating the forecast.

As per claim 8 and 24, Sultan teaches presenting the forecast data in graphical format that enables comparing to related forecasts over time that are specified to be visible to that member (col. 11, lines 9-12; "Regional Manager B3 may view a pipeline and/or a forecast by rolling up (summing) the pipeline and/or forecast information of all those directly or indirectly reporting to him." Where the pipeline contains multiple forecasts that are viewed simultaneously. The information is graphical as depicted in Figure 3: Forecast Summary by Product).

As per claim 15 and 31, Sultan teaches the current forecast participant is a manager whose forecast is determined, in part, on forecasts that are submitted by one or more selected subordinate members, comprising (col. 2, line 61-col. 3, line 2; "Each member of the sales force of the company may be assigned a permission level, the assigned permission level determining which stored sales forecast information are aggregated in the real time sales forecast. A real time sales forecast may be generated by aggregating only stored sales forecast information and/or stored pipeline sales information of those members of the sales force having a lower permission level than a member of the sales force having requested the real time sales forecast.");

generating a forecast for the manager based on a combination of forecasts submitted by said selected subordinate members and automatically generated forecasts (col. 2, lines 34-37; "selectively aggregating the stored sales forecast information according to a hierarchy indicated by the hierarchical structure to generate, upon request, a real time sales forecast over a selected time period."); and

automatically generating a forecast for any selected subordinate member who has yet to submit a forecast. Sultan does not explicitly teach automatically generating a forecast. Official notice is taken that it is old and well known in the art to incorporate a push system or automatic option with respect to generating a forecast. One such instance is noted in Martin (US 2002/0107720). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the forecast system of Sultan with an automated forecasting option to provide a means for completing the

forecast in an efficient manner so that it is not waiting on additional input from those that have not generated their respective forecasts.

As per claim 16 and 32, Sultan teaches the manager occupies at least a second level of management in the organization's hierarchy and automatically calculating forecasts for one or more selected subordinate members and have not submitted their forecast is applied in a recursive manner from lower levels to higher levels in the organization's hierarchy (col. 3, lines 16-41; "comprising the steps of defining a hierarchical structure representative of an organization of an entire sales force of the multi-national company; providing a remotely accessible Internet application, the Internet application being configured to allow each member of the sales force to remotely input pipeline and/or forecast sales information via an Internet browser and to store the at least one of inputted sales and forecast information in a single database; selectively allowing the pipeline and/or sales information to be rolled up the hierarchical structure upon request and summed to generate the aggregate sales forecast over a selected time period. The rolling up step may be carried out to a highest level in the hierarchical structure and the aggregate sales forecast may be a global sales forecast for the multi-national company. The selectively allowing step may include steps of assigning a permission level to each salesperson within the sales force according to a position of each member of the sales force within the hierarchical structure and the assigned permission level may determine what pipeline and/or sales forecast information may be included in the aggregated sales forecast. At least the Chief Operating Officer (CEO) of the multi-national company may be assigned a highest

permission level. The selectively allowing step may further include steps of assigning a special permission level to a person, the special permission level being uncorrelated to a position of the person within the hierarchical structure."). Sultan does not explicitly teach automatically generating a forecast. Official notice is taken that it is old and well known in the art to incorporate a push system or automatic option with respect to generating a forecast. One such instance is noted in Martin (US 2002/0107720). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the forecast system of Sultan with an automated forecasting option to provide a means for completing the forecast in an efficient manner so that it is not waiting on additional input from those that have not generated their respective forecasts.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren, can be reached at 571-272-6737.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. Michelle Tarae/
Primary Examiner, Art Unit 3623

May 26, 2008